

Agenda Item Form

Agenda Date: 3/18/04

Districts Affected: 2

Dept. Head/Contact Information: Irene Ramirez, P.E. Ext. 4431 

Type of Agenda Item:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Staffing Table Changes | <input type="checkbox"/> Board Appointments |
| <input type="checkbox"/> Tax Installment Agreements | <input type="checkbox"/> Tax Refunds | <input type="checkbox"/> Donations |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer | <input type="checkbox"/> Item Placed by Citizen |
| <input type="checkbox"/> Application for Facility Use | <input type="checkbox"/> Bldg. Permits/Inspection | <input type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application |
| <input type="checkbox"/> Other _____ | | |

Funding Source:

- ☐ General Fund
- ☐ Grant (duration of funds: _____ Months)
- ☒ Other Source: N/A

Legal:

☒ Legal Review Required
Denied

Attorney Assigned (please scroll down): Raymond Telles

☒ Approved ☐

Timeline Priority: ☐ High ☐ Medium ☐ Low # of days: N/A

Why is this item necessary:

Underground electrical easement is necessary to provide electrical service to new Animal Shelter.

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

None

Statutory or Citizen Concerns:

None

Departmental Concerns:

None

ENGINEERING DEPARTMENT

Excellence through Teamwork

TO: Mayor Joe Wardy
and City Representatives

FROM: Irene Ramirez, P.E.
Interim City Engineer

CONTACT: Irene Ramirez, P.E.
Interim City Engineer Extension: 4431

DATE: March 17, 2004

SUBJECT: City Council Agenda

COUNCIL AGENDA DATE: March 17, 2004
AGENDA ITEM NO.: _____

The following item has been reviewed and we recommend approval.

RESOLUTION: District #: 2

That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement to the El Paso Electric Company on a portion of Section 17, Block 81, Township 2, T&P Railway Co. Surveys, El Paso County, Texas to provide service to the Animal Shelter located at 5001 Fred Wilson Avenue.

EXPLANATION:

To provide electrical service to new Animal Shelter.

cc: Jim Martinez, Chief Admin. Officer
Laura Unbarri, Executive Assistant to the Mayor
Adrian Ocegueda, Executive Assistant to the Mayor
Patricia Adatao, Deputy CAO
Edward Drusina, P.E., Deputy CAO
Lisa Elizondo, City Attorney
Raymond Telles, Assistant City Attorney
Irene Ramirez, Interim City Engineer

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement to the El Paso Electric Company on a portion of Section 17, Block 81, Township 2, T & P Railway Co. Surveys, El Paso County, Texas to provide service to the Animal Shelter located at 5001 Fred Wilson Avenue.

ADOPTED THIS 23RD DAY OF MARCH, 2004.


THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Raymond L. Telles
Assistant City Attorney

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

UNDERGROUND ELECTRICAL EASEMENT

For and in consideration of the sum of One Dollar and No/100 (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the City of El Paso grants unto El Paso Electric Company, its successors and assigns, the right, privilege and easement to enter upon and erect, construct, operate and maintain an underground system consisting of one (1) transformer (conventional or pad mount), ducts, conduits, fixtures, manholes, handholes, vaults, and other usual appurtenances pertaining thereto, and an underground crossing with all necessary wires pertaining thereto, with the right of ingress and egress thereto, for the installation, operation, inspection, repair, maintenance, replacement, renewal or removal thereof, for the distribution of electricity, electric energy and power, for any and all purposes for which same is or may hereafter be used, over, upon, and along the following described premises in El Paso County, Texas, to wit:

A portion of Section 17, Block 81, Township 2, T & P Railway Co.
Surveys, El Paso County, Texas particularly shown on Attachment
"A" attached hereto and incorporated herein for all purposes.

This easement shall be for the term of the El Paso Electric Company's franchise and any extension and renewal thereof by the City of El Paso. In accepting this easement, the Grantee agrees that upon request it will relocate any of its facilities located within the easement at no cost to the City of El Paso or its successors and assigns.

In accepting this grant, Grantee agrees that it will replace or repair, as reasonable and to the Grantor's satisfaction, landscaping, structures, and/or paving as disturbed by the Grantee's construction, maintenance or repairs of or to its facilities in and upon such easement.

Grantor reserves the right to full use and enjoyment of said property except for the purposes herein granted.

Grantor will not be held responsible for any damage to underground facility from excessive erosion due to flood run-off.

Should Grantee abandon the facilities and easement then the easement hereinabove described shall revert to Grantor or its successors and assigns. Such abandonment shall be conclusively presumed following non-use by the Grantee for one year and with use not being resumed within sixty (60) days following receipt of notice of abandonment from Grantor to Grantee, and on such abandonment, Grantee will then execute any and all necessary documents to evidence such abandonment.

Grantee shall maintain the surface over the length and width of the Easement to the satisfaction of the Deputy Chief Administrative Officer for Municipal Services or his designee and in accordance with applicable City Code provisions.

WITNESS THE FOLLOWING SIGNATURES AND SEAL this 23rd day of March, 2004.

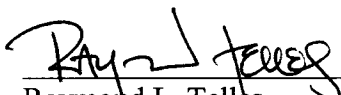
THE CITY OF EL PASO

ATTEST:

Joe Wardy
Mayor


Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Raymond L. Telles
Assistant City Attorney

APPROVED AS TO CONTENT:



Irene D. Ramirez, P.E.
Interim City Engineer

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the _____ day of March, 2004, by Joe Wardy, as Mayor of the City of El Paso.

Notary Public, State of Texas

(Signatures continue on following page)

The above instrument, together with all conditions thereto is hereby accepted this

_____ day of March 2004.

EL PASO ELECTRIC COMPANY

By: Kerry B. Lore

Printed Name: Kerry B. Lore

Title: Vice President - Administration

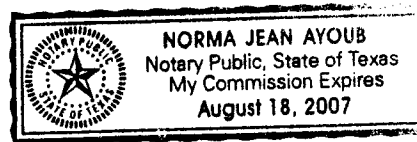
ACKNOWLEDGEMENT

STATE OF TEXAS)

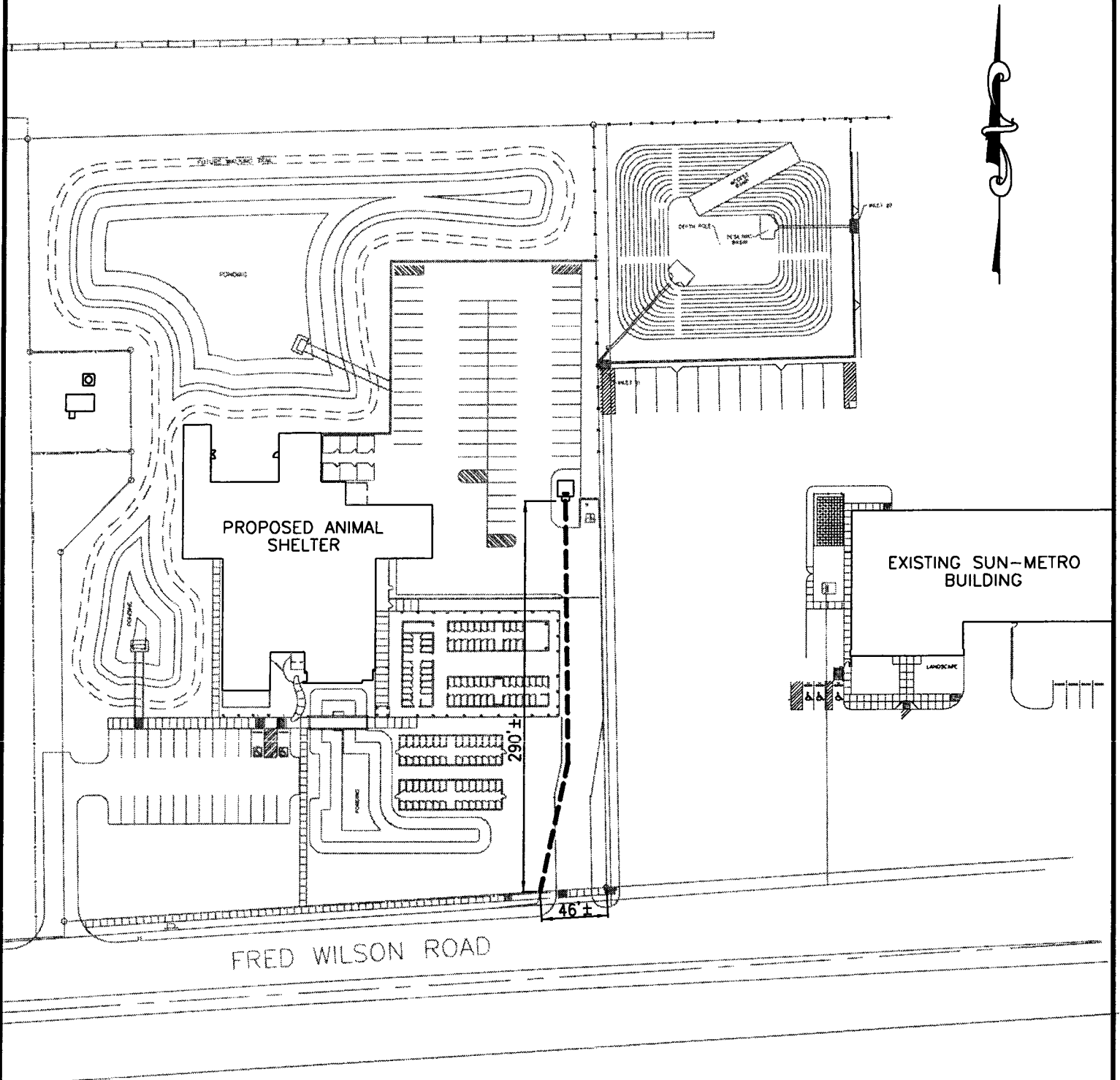
COUNTY OF EL PASO)

This instrument was acknowledged before me on the ____ day of March 2004 by Kerry B. Lore as VICE PRESIDENT - ADMINISTRATION of the El Paso Electric Company, on behalf of the El Paso Electric Company, a Texas corporation.

Norma Jean Ayoub
Notary Public, State of Texas



ATTACHMENT "A"



LEGEND

--- PROPOSED E.P.E. CO. 10 FT. UTIL. ESMT.

□ 12' X 16' TRANSFORMER EASEMENT

GRANTORS INITIALS _____

Return to:
El Paso Electric Co.
P.O. Box 982-Loc 501
El Paso, TX. 79960

PROPOSED EASEMENT IN A PORTION OF
SECTION 17, BLOCK 81, TOWNSHIP 2
T & P RAILWAY CO. SURVEYS
EL PASO COUNTY, TEXAS

EL PASO ELECTRIC CO. R.O.W.

DATE 2-13-04

EST. NO.

SCALE NONE

03-7-1-70183